

1 BILL NO. Z-84-05-08 (AS AMENDED)

2 ZONING MAP ORDINANCE NO. Z-

10-84

3 AN ORDINANCE amending the City of
4 Fort Wayne Zoning Map No. K-7.

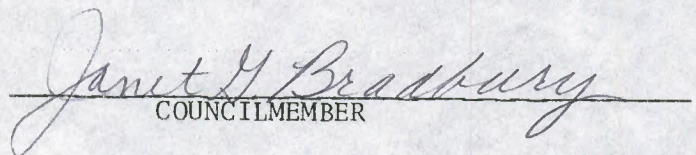
5 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
6 INDIANA:

7 SECTION 1. That the area described as follows is hereby designated
8 a B-1-B (Limited Business) District under the terms of Chapter 33 of the
9 Code of the City of Fort Wayne, Indiana of 1974:

10 Lot Numbered 2 in B.W. & S.W. Vesey's Amended plat, an
11 Addition to the City of Fort Wayne, Indiana, according
12 to the plat thereof, recorded in Plat Record 4, page 91,
in the Office of the Recorder of Allen County, Indiana,

13 and the symbols of the City of Fort Wayne Zoning Map No. K-7, as established
14 by Section 11 of Chapter 33 of the Code of the City of Fort Wayne, Indiana
15 are hereby changed accordingly.

16 SECTION 2. That this Ordinance shall be in full force and
17 effect from and after its passage and approval by the Mayor.

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20 COUNCILMEMBER

21 APPROVED AS TO FORM AND LEGALITY:

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BRUCE O. BOXBERGER, CITY ATTORNEY
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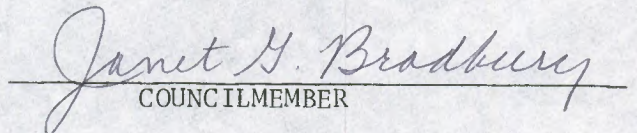
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6 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
7 INDIANA:

8 SECTION 1. That the area described as follows is hereby
9 designated an M-1 (Light Industrial) District under the terms of Chapter 33
10 of the Code of the City of Fort Wayne, Indiana of 1974:

11 Lot Numbered 2 in B.W. & S.W. Vesey's Amended Plat, an
12 Addition to the City of Fort Wayne, Indiana, according
to the plat thereof, recorded in Plat Record 4, page 91,
in the Office of the Recorder of Allen County, Indiana

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Read the first time in full and on motion by Bradbury, seconded by GiaQuinta, and duly adopted, read the second time by title and referred to the Committee Regulation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.

DATE: 5-15-84 Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Bradbury, seconded by Stier, and duly adopted, placed on its passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	_____	_____	_____	_____
<u>BRADBURY</u>	<u>✓</u>	_____	_____	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>✓</u>	_____	_____	_____	_____
<u>GiaQUINTA</u>	<u>✓</u>	_____	_____	_____	_____
<u>HENRY</u>	<u>✓</u>	_____	_____	_____	_____
<u>REDD</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 6-12-84 Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(ANNEXATION)~~ ~~(APPROPRIATION)~~ ~~(GENERAL)~~ ~~(SPECIAL)~~ (ZONING MAP) ORDINANCE ~~(RESOLUTION)~~ NO. 3-10-84 on the 12th day of June, 1984,

ATTEST: (SEAL)
Sandra E. Kennedy Ray A. Ebert
SANDRA E. KENNEDY, CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1984, at the hour of 11:30 o'clock A. M., E.S.T.
Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 13th day of June, 1984, at the hour of 4:00 o'clock P. M., E.S.T.
Win Moses, Jr.
WIN MOSES, JR., MAYOR

PETITION FOR ZONING ORDINANCE AMENDMENT

RECEIPT NO. _____

DATE FILED _____

THIS IS TO BE FILED IN DUPLICATE

INTENDED USE _____

I/We KEVIN K. MCGINNIS & LISA ANN MCGINNIS

(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an R-2 District to a/an M-1 District the property described as follows:

Lot Numbered 2 in B.W. and S. w. Vesey's Amended Plat, an Addition to the City of
Ft. Wayne, In., according to the plat thereof, recorded in Plat Record 4, page 91,
in the Office of the Recorder of Allen County, In.

(Legal Description) If additional space is needed, use reverse side.

3426 Broadway Ave. Ft. Wayne, In. 46807

2 Story Barn Framed House - Aluminum Sided - Front Awning

1st house North of Gouty's Service Center

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Kevin K. McGinnis

8014 Anoka Drive Ft. Wayne

Lisa Ann McGinnis

2732 E. Paulding Rd. #5 FW

OWN FREE and CLEAR *

(Name)

(Address)

(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by _____

(OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

Kevin K. McGinnis

(Name)

8014 Anoka Dr. Ft. Wayne, In 46809 747-2072

(Address & Zip Code)

(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN. 46802 (PHONE: 219/423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoned.

Lot Numbered 2 in B.W. and S.W. Vesey's Amended Plat, an Addition to the City of
Ft. Wayne, In., according to the plat thereof, recorded in Plat Record 4, page 91,
in the Office of the Recorder Of Allen Co., In..

Owners of Property

Kevin K. McGinnis	8014 Anoka Dr. FW 46809	
Lisa Ann McGinnis	same	
(Name)	(Address)	(Signature)

NOTE: All checks are to be made payable to: CITY OF FORT WAYNE

This form is to be filed in duplicate.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on May 15, 1984, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-84-05-08; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such ordinance on May 14, 1984;

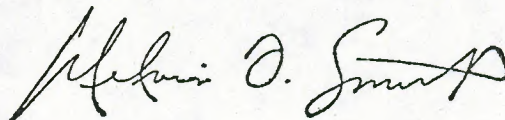
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 21, 1984.

Certified and signed this
22nd day of May 1984.



Melvin O. Smith
Secretary

BILL NO. Z-84-05-08 (as amended)

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN
ORDINANCE amending the City of Fort Wayne Zoning Map No. K-7

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE Do PASS.

JANET G. BRADBURY, CHAIRWOMAN

Janet G. Bradbury

SAMUEL J. TALARICO, VICE CHAIRMAN

Samuel J. Talarico

CHARLES B. REDD

Charles B. Redd

MARK E. GIAQUINTA

JAMES S. STIER

James S. Stier

CONCURRED IN 6-12-84

SANDRA E. KENNEDY, CITY CLERK

RECEIPT

COMMUNITY DEVELOPMENT & PLANNING

No 10672

FT. WAYNE, IND.,

17 April 1984

RECEIVED FROM

Kevin Mc Ginnis

\$

50.00

THE SUM OF

fifty

100

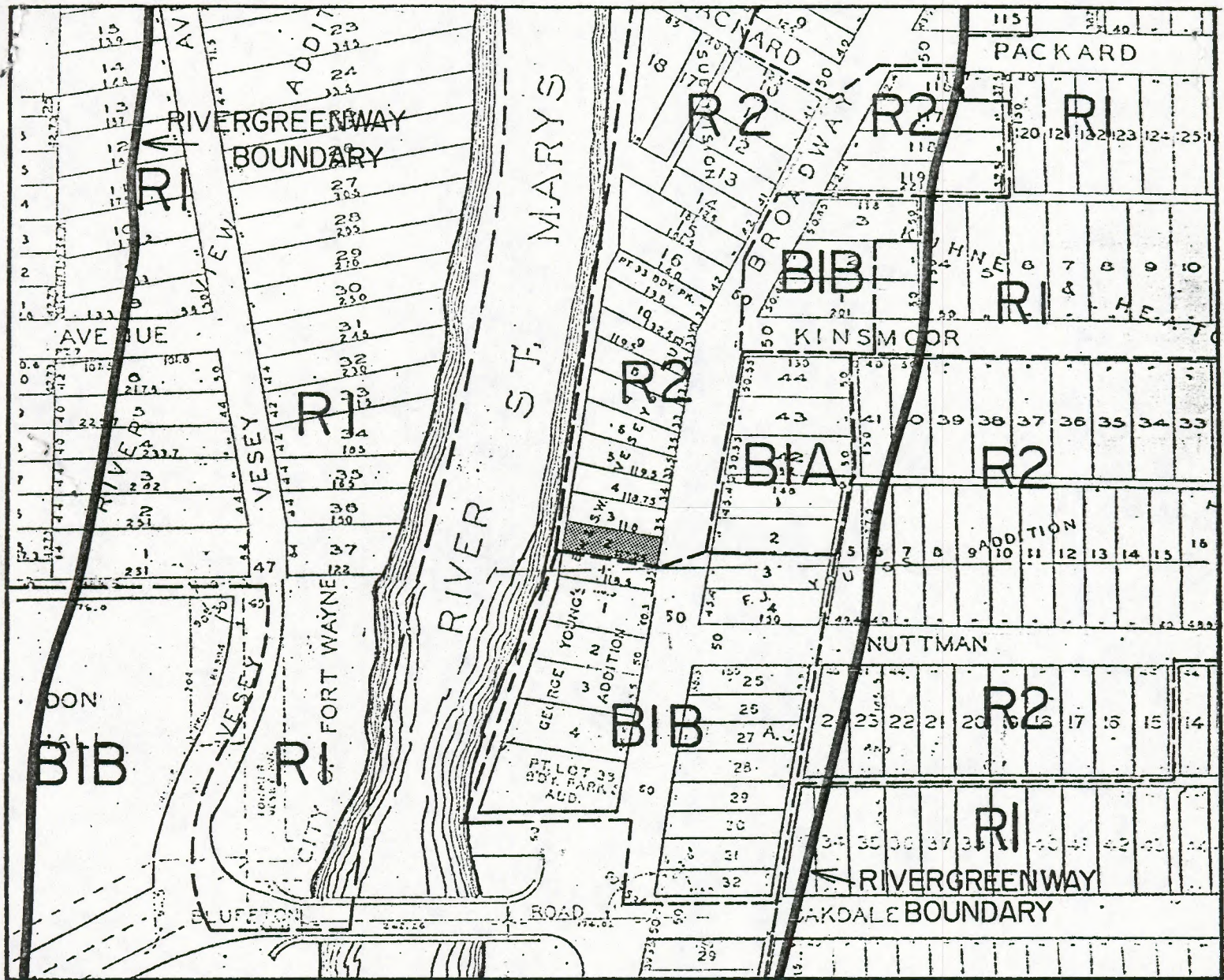
DOLLARS


ON ACCOUNT OF

rezoneing

R-2 to M-1

AUTHORIZED SIGNATURE



 A PETITION TO AMEND THE ZONING MAP BY
 RECLASSIFYING DESCRIBED PROPERTY FROM AN R-2
~~TO A M-1 DISTRICT.~~

MAP NO. K-7

REZONE FROM AN R-2 to a B-1-B

(Request was perfected by Commission
May 21, 1984 Meeting.)

Z-84-05-08



3-13-84



The City of Fort Wayne

DIVISION OF LAND USE MANAGEMENT

Department of Community Development & Planning

22 May 1984

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held May 21, 1984. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance:

1. Bill No. Z-84-05-08
2. From R-2 to M-1
3. Intended Use: Retail Sales
4. Plan Commission Recommendation: PERFECT TO A B-1-B and DO PASS

This ordinance received a DO PASS recommendation for the following reason:

REASON: The M-1 would allow uses which are out of character in the neighborhood, while the B-1-B would be a logical extension of an existing district.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING

Gary F. Baeten
Gary F. Baeten
Senior Planner

GFB:pb

Attachments

ORIGINAL

DIGEST SHEET

ORIGINALTITLE OF ORDINANCE Zoning Map Amendment 3-84-05-08DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&PSYNOPSIS OF ORDINANCE Lot #2 in B.W. & S.W. Vesey's Amended Plat.EFFECT OF PASSAGE Property is now zoned R-2 - Two Family Residential. Property
will become M-1- Light Industrial.EFFECT OF NON-PASSAGE Property will remain M-1 - Light Industrial.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE (J.N.)) _____